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ABSTRACT

The current status of discipline in Arizona public schools is assessed and alternative forms of discipline are reviewed in this report on classroom discipline. Methodology involved a literature review, an informal survey of 330 Arizona schools, and an attitudinal survey of 300 educators and non-educators. Overall findings indicate that most schools used assertive discipline programs and in-school detention and that almost half (45 percent) utilized their own programs. General agreement existed between educators and non-educators on the causes of discipline problems; however, 79 percent of the non-educators as opposed to 4 percent of the educators perceived drug abuse as the most severe problem. No consensus on solutions was found. Differences also existed between secondary and elementary educators on causes of and solutions to discipline problems. Recommendations are offered in the areas of discipline policy guidelines, teacher training, parental responsibilities, alternatives to suspension and expulsion, and responses to serious problems, such as gang activity. The section section, prepared by Therese L. Martin, Attorney at Law, summarizes and discusses several legal briefs on due process rights and procedures as they relate to students. Appendices include the surveys on existing discipline programs in Arizona schools, and on the attitudes of Arizona educators and non-educators. A 101-item bibliography is included. (LMI)

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Report of the Superintendent's Task Force on Classroom Discipline

Arizona Department of Education
C. Diane Bishop, Superintendent

Classroom Discipline

U.S. DEPARTMENT OF EDUCATION
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INTRODUCTION

The Superintendent's Task Force on Classroom Discipline was established in response to the continuing concern of teachers, administrators and parents about school discipline issues. Although it was recognized from the outset that many Arizona districts and schools have taken steps in recent years to improve discipline standards; it also is true that school personnel must continue to deal with frequent discipline disruptions which decrease the time available for teaching and learning. The issue of school discipline has received considerable national attention as well. In his January 1990 State of the Union Address, President Bush listed effective discipline among the six national education goals developed by the governors of the 50 states: "By the year 2000, every school in America will be free of drugs and violence and offer a disciplined environment conducive to learning."

The Task Force included teachers, school and district administrators, parents, legislators, lawyers and other interested and concerned citizens. The goal was a clear one: to assess the current status of discipline in our schools, review alternative forms of discipline and make recommendations to the Superintendent of Public Instruction which then could be translated into proposals for State Board rules or Arizona statutes. From the beginning, it was understood by Task Force members that every school works to create a safe learning environment where little time is wasted because of disciplinary matters. This goal can be reached only through a comprehensive program supported by everyone within the school organization as well as involved parents and community members. Fundamental to achieving a school climate where teaching and learning occur with a minimum of distraction is a firm, consistent and continual commitment to achieving the following goals:

- Mutual respect among students, staff and parents,
- Regard for the dignity of each person in the school,
- Established standards and procedures to guide student conduct in classrooms, other school areas and in traveling to and from school,
- Commitment from every member of the school staff to support and enforce the discipline expectations and procedures,
- Effective instructional classroom management and control,[1] and
- The lowest possible student/teacher ratio which allows teachers an opportunity to provide the best possible management of the class.

During their deliberations the Task Force reviewed a variety of information sources which assisted in the formation of the recommendations contained in this report. Included in the available resources were studies on school discipline gleaned from the national ERIC database, journal articles and conference papers on effective practices, pertinent State Board rules and Arizona education statutes as well as relevant case law

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[1] Grossnickle, Donald R. and Sesko, Frank P., 1985 *Promoting Effective Discipline in School and Classroom: A Practitioner's Perspective*, National Association of Secondary School Principals, Reston, VA (ED266-550).

relating to student discipline issues. In addition, the Task Force undertook an informal survey of Arizona schools to identify what types of discipline programs were in use. A second survey was administered to 300 educators and 300 non-educators to ascertain their views on the causes of discipline problems and possible solutions. These surveys and an analysis of the results are included in Appendix A. Based on the extent of the materials to be reviewed, the Task Force formed the following five subcommittees:

- Discipline policy guidelines
- Teacher training
- Parental responsibilities
- Alternatives to out-of-school suspension and expulsion
- Responses to serious discipline problems such as gang activity

In addition, Therese Martin, a lawyer member of the Task Force, researched the issue of due process rights and procedures and wrote a supporting brief which is included as Section II of this report.

Between September 1989 and March 1990, the Task Force and its subcommittees held monthly concurrent meetings which were structured to allow the maximum amount of interaction between the Task Force members. The resulting protracted discussions proved to be vital to the development of these recommendations since various, and often contradictory, points of view were held by Task Force members. The lengthy discussions served to highlight both the commonly held beliefs of Task Force members regarding safe, well-run schools and the wide variety of approaches taken by educators nationwide in achieving the goal of schools with good discipline.

RECOMMENDATIONS TO THE STATE BOARD OF EDUCATION

School districts throughout the state should be encouraged by state law and State Board rule to develop policies which adhere to the following discipline guidelines.

Discipline policies:

- Must be age appropriate.
- Must be developed by individual school or school district committees which should include parents, teachers, principals, other appropriate school personnel and community members.
- Must be clearly defined, including descriptions of specific infractions and the resulting levels of discipline that will occur in response to a student's refusal to follow the discipline policy.
- Must include specific student rights and responsibilities and comply with legal requirements.
- Must be given to every student at the beginning of each school year and to new students upon entering the district and must be reviewed periodically.

In conjunction with discipline policy development at the school and/or district level, the Arizona Department of Education (ADE) will act as a resource by providing guidelines to assist in the enhancement of student discipline. The ADE also may assist with the in-service training of teachers and administrators, or by developing and disseminating new materials and procedures concerning classroom discipline.

Teacher Training

"Most teachers are better trained at operating an overhead projector than handling a classroom of kids."[2] This may be a startling statement and a bit of an exaggeration, but it clearly expresses the concern of the Task Force about the adequacy of both the preservice and in-service preparation of teachers to handle the increasingly difficult job of managing a classroom in such a way that learning can occur. Most of the educators on the Task Force were present or former teachers. None reported adequate preservice (undergraduate) preparation for classroom management tasks. Few reported that their current or former colleagues felt differently. A recent *USA Today* poll reported that 62 percent of teachers questioned from the country's two leading teacher associations, the National Education Association and the American Federation of Teachers, felt they were inadequately prepared in college to carry out their responsibilities in the area of classroom management.

The Task Force submits the following recommendation:

The State Board of Education should review the course and skill requirements for both temporary and standard teaching certificates (K-8 and 7-12) and significantly upgrade the classroom management requirements. The changes should affect the skills, knowledge

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[2]"Teacher Training," (1989) *ASBA Journal*, 19, (4), pp. 19-20 (Fall).

and experience of preservice teachers in the theory and practice of classroom management. Currently certificated teachers should be given the opportunity, on an ongoing basis, to receive in-service training from the school districts in which they work. This training should provide teachers with a working knowledge of various classroom management approaches, an ability to deal effectively with disruptive behavior in the classroom and skills in working with the diverse social cultures in Arizona schools. Such in-service training can be provided by consultants, by teachers who have proven themselves to be effective classroom managers.

Parental Responsibilities

Parents play a most significant role in developing and maintaining positive behavior patterns in their children. In the infant and early childhood years, parental attitudes set the stage for productive behavior. During the elementary school years, parents need to encourage children to cooperate in school endeavors. Through their involvement in school activities, parents can provide a model of constructive behavior for their children. In junior high school and high school, "parents can assist the school in maintaining a climate for productive student behavior through their efforts at communicating some reasonable guidelines they expect their young adult to abide by and through their efforts of communicating with the school on the status of their adolescent's behavior and performance in school."[3] Parents and educators working in harmony can best educate students. Too often we have looked for a division of responsibility which results in placing blame instead of helping children. Educators must join hands with parents in a mutual effort to help our children learn and achieve success in school.

The Task Force submits the following recommendation:

The State Board of Education should develop a model policy on parental responsibilities relevant to promoting the educational well-being of their children in school. The policy may include some or all of the following parental responsibilities. The Board should request that each Arizona school district develop its own statement of parental responsibilities and disseminate it throughout the district.

Parents should:

- **Provide adequate food, clothing and medical care**
- **Ensure proper rest**
- **Schedule appropriate times and places for home study**
- **Monitor assignments and school progress**
- **Assure that the child is in regular attendance at school and is punctual**
- **Make education the top priority in their child's life, above extracurricular activities or employment**

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3 Swick, K. (1977) "Maintaining An Environment For Productive Student Behavior," *Maintaining Productive Student Behavior*, National Education Association, Washington, D.C., pp. 22-27.

- **Schedule off-campus appointments for the child during non-school hours**
- **Communicate regularly with the child's teacher or teachers through notes, phone calls and visits**
- **Establish a home discipline policy that promotes respect and proper behavior at school**
- **Oversee the welfare of the child before and after school hours.**

It is the belief of the Task Force that this recommendation for a parental responsibility policy will enhance the growth and wellness of Arizona's children. However, the State Board's development of such a policy is only the first step. Schools should work with parents to help students develop the skills, knowledge and behaviors necessary to achieve success within the school setting as well as outside of it.

Corporal Punishment

A topic of significant interest to the Task Force was the use of corporal punishment in Arizona schools. Discussions about corporal punishment occurred frequently throughout Task Force deliberations, with many opinions expressed and debated by the members.

After a review of the Arizona statute allowing corporal punishment, ARS 15-843.B.2, and the State Board rule, AAC R7-2-807, specifying its use, the Task Force makes the following recommendation:

Abolish corporal punishment in Arizona schools.

This recommendation is based on the belief that corporal punishment is an inappropriate and outdated form of discipline. In its place ought to be a well-developed, effective school discipline program.

Alternatives to Out-of-School Suspension and Expulsion

The key to effective school discipline is effective classroom management to prevent major discipline problems. The most successful approaches to discipline call for applying gradually increasing levels of authority as the situation warrants. With this in mind, the Task Force recognizes that there are times when students are disruptive and action is called for to minimize the negative effect on students who wish to continue learning. Disruptive students should be removed from the classroom immediately if they are interfering with the learning of others. This action may ultimately lead to suspension, or even expulsion, in accordance with existing Arizona statutes and school district discipline policies.

The subcommittee studying the remedies of suspension or expulsion of a student recognized the need to examine alternatives to removing a student from school on a short- or long-term basis. Many students who are separated from the student group for any length of time become "disconnected" from the school so that the suspension or expulsion actually contributes to the likelihood that the suspended or expelled student

will become a dropout. With the full knowledge that suspensions or expulsions may be inevitable at times, the Task Force makes the following six recommendations:

The reasons for suspension and expulsion should be clearly delineated in rules and policies provided to parents and students and should be used only for major infractions. Major infractions include, but are not limited to, the use, possession or sale of alcoholic beverages, drugs or weapons; verbal, written or physical threats to teachers, administrators or staff, in or near the school; major insubordination; assisting or aiding others in illegal or threatening acts; and damage to, or destruction of, school property or the property of students, teachers, administrators or board members.

A student, if at all possible, should generally receive a warning that if the specific conduct continues, a suspension or expulsion and, where appropriate, referral to the criminal justice system will follow.

Graduated punishments are recommended, e.g., warnings to students and parents, in-school detention, out-of-school suspension of 10 days or less, long-term suspension, and, as a last resort, expulsion. Additionally, behavior contracts should be considered somewhere in this continuum.

Before any out-of-school suspension or expulsion penalty is implemented, school districts must have met due process requirements delineated in Arizona law and State Board rules. (See Section II for more information on due process requirements and procedures.)

A change in Arizona law is needed to allow the supervision of school detention rooms by non-certificated, although specially trained, school personnel.

Alternatives to suspension or expulsion from school may include the following:

- **In-school detention/suspension in a separate room. This room must be adequate for furthering the goals of in-school detention, i.e., it should not be the secretarial area of the principal's office. The detention program should have constructive, educational and/or counseling goals and should be staffed by at least one staff person. Detention should not provide an opportunity for peer interaction and should be available during the entire school day as well as before and/or after school. Records should be kept of each incident of detention, stating the reason(s) the student was placed there, services or resources provided, and the student's conduct and progress while in detention. Each incident also should be reported to the parents.**

- **Peer mediation to discuss and resolve school problems with a team including a teacher, trained staff person or trained student facilitator. The role of the team would be to define the problem, permit brainstorming as to possible causes and solutions and enable participants to move toward a consensus solution which is satisfactory to all involved.**

- **Community service or work-related obligations.**

- **Restitution in the form of work contributed, repair, replacement or cash payment. In the event restitution is not made as required, the school district may withhold issuance of diplomas, transfer of records or possibly reenrollment in the district. Arizona law ARS 15-842.B provides that "Upon complaint of the governing board, the parents or guardians of minors who have injured school property shall be liable for all damages caused by their children or wards." The Task Force recommends the enforcement of this statute by districts.**

- **Mandatory parent attendance at school following a child's misconduct. The parent would be required to attend all classroom activities with the child for a specified period of time.**

- **Voluntary substance abuse counseling and/or testing.**

- **Student, family and/or parent counseling.**

The Task Force submits these potential alternatives to suspension or expulsion to keep the student in school during the period of punishment for misconduct. In addition, it is strongly recommended that a multi-faceted effort be made to reduce the likelihood of the need for disciplining students. Such an approach would include a stronger emphasis on and commitment of resources to counseling, parental involvement, reduced class size and alternative programs or schools for students who need additional assistance.

Response to Serious Discipline Problems Such as Gang Violence

The pernicious influence of gangs on schools has been well-documented. In large urban school systems in neighboring states as well as smaller suburban and rural schools in Arizona the negative effects of gang activity have been felt. The Task Force spent considerable time learning about the patterns of gang activity, ways to prevent gangs from forming and measures which need to be taken to make our schools safe from gang activity. Special thanks is given to members of the Phoenix Police Department in recognition of their provision of a substantial amount of vital information to the Task Force.

Gang members are disruptive. They are an intimidating presence to students, teachers and administrators. To minimize the influence of gang members and abate gang activity in the schools, the Task Force makes the following four recommendations:

- **The educational community should support legislation which would facilitate the open flow of information between law enforcement agencies and schools for the purpose of tracking troubled youth.**

- **The State Board of Education should develop and adopt rules that would allow school districts to suspend long-term from school any student who has gang affiliations or who wears any clearly identifiable gang clothing, symbols or other indicia which would cause disruption or substantial interference with the educational process. The regulations would afford all students their due process rights.**

- **Law enforcers, juvenile gang specialists and other experts should be solicited by schools and districts to conduct seminars on gangs for teachers, administrators and parents. Participants would learn how to identify those behaviors identified with youth gang affiliation and how to help young people deal with personal problems that make gang membership seem attractive.**

- **School and law enforcement personnel should sponsor joint community training seminars for parents and other community members. These programs alert the community to potential and actual gang problems and present ways to alleviate them.**

The Task Force believes that early identification of gang activity, coupled with active gang abatement programs for educators and community members, will help to keep the disturbing level of gang activity seen elsewhere from occurring in Arizona. We know that local law enforcement agencies stand ready to assist the schools in whatever way necessary.

CONCLUSION

The process of developing and maintaining good discipline in Arizona schools is one which requires the assistance and cooperation of all members of the school community, including students, teachers, administrators and parents. These recommendations submitted by the Superintendent's Task Force provide a blueprint for improvement which may require changes in statutes, rules or district policies relating to classroom discipline. In all cases, however, the recommendations have been made with the clear intent of improving classroom and school discipline so that all of Arizona's schools can provide a safer, more productive learning environment for our youth.

DUE PROCESS REQUIREMENTS

Prepared by Therese L. Martin, Attorney at Law and Committee Member

The seminal case in the area of what due process must be afforded a student prior to discipline in a public school is Goss v. Lopez, 419 U.S. 565, 95 S.Ct. 729, 42 L.Ed.2d 725 (1975). That case dealt with a 10-day or shorter suspension and remains good law. Its requirements are as follows:

1. Oral or written notice of the charges against the student.

2. If the student denies the charges, an explanation of the evidence the authorities have.

3. An opportunity to present his/her side of the story.

Later in the same case, the Supreme Court stated that longer suspensions or expulsions "may require more formal procedures." Further, the court stated that it did not "put aside the possibility that in unusual situations, although involving only short suspension, something more than the rudimentary procedures will be required," 419 U.S. at 584, 95 S.Ct. at 741.

The Sixth Circuit Court of Appeals has recently addressed the issue of what additional due process rights must be afforded a student facing a 10-day suspension. In Paredes v. Curtis, 864 F.2d 425 (6th Cir. 1988), the court held that school officials did not have to reveal either the identity of a student informant nor the written statement made by that student in the course of hearings to discipline a fellow student accused of possession of a drug look-alike substance. Under the facts of that case, the written statement was not relied upon by school officials who made the suspension decision and the chief witness against the student, an assistant principal, had personally seen a white powdery substance upon searching the locker of the accused student. In the hearing in this case, the student was represented by legal counsel who was given ample opportunity to question the assistant principal.

The Sixth Circuit Court of Appeals specifically found that this fact situation did not constitute an "unusual situation" as referenced in Goss v. Lopez, and specifically said that "we do not believe that an eighth grade student charged with possession of a drug look-alike substance and suspended for a relatively short period of 10 days is forever faced with a tarnished reputation and restricted employment opportunities. Instead, we believe that this is precisely the type of situation the Goss standard was meant to address," Id. at 429.

In a Sixth Circuit decision issued approximately six months prior to Paredes, the court in Newsome v. Batavia Local School District, 842 F.2d 920 (6th Cir. 1988) held that a high school student threatened with expulsion based on statements of unidentified students did not have a due process right to learn of those other students' identities. The student in this case was a 16-year-old high school student accused of possessing and offering a marijuana cigarette for sale on high school property. The accused student was told of the allegations against him by the principal; he denied the charges, and the principal advised him of information that he had obtained in interviews without identifying the students providing the information. Three days later, the student was informed that the principal intended to suspend him for 10 days based on his alleged possession and attempted sale of marijuana. Four days after this, a suspension hearing was held before the school superintendent. The accused student testified, as did the principal.

Apparently, at some point the superintendent privately interviewed the two accusing students. In the continued hearing, a juvenile court officer reported that the accused student had undergone a urinalysis and it was negative for drug use. That juvenile court officer then recommended that the student be immediately returned to school. Following this hearing, the superintendent and principal adjourned to discuss the disposition of the matter. The student's mother was informed that the superintendent would give him a clean disciplinary record if he would accept a transfer to a vocational school. This offer was declined and the child was advised that he would be expelled for the remainder of the fall semester (less than two months). This decision was appealed to the school board where the student was represented by legal counsel during a hearing. Again, the principal and superintendent were present, and the names of the accusing students were not revealed. However, both the superintendent and principal testified that it was their belief that the students were telling the truth. The principal testified that he did not believe the accusing students were "out to get" the other student, and also that they were not good friends. At this hearing, the accused student's attorney was not permitted to cross-examine the principal or the superintendent. The student then testified that he did not possess or offer to sell marijuana on school property. His attorney was allowed to give a closing argument.

After this hearing, the school board, principal and superintendent met together to review the evidence in the case. During these closed deliberations, the superintendent told the school board that a counselor had advised him that the accused student had confessed to her his involvement in the alleged possession and attempted trafficking incident. The school board affirmed the superintendent's decision to expel the student for approximately a two-month period.

In analyzing whether this process afforded the accused student adequate due process, the court applied the standards of Matthews v. Eldridge, 424 U.S. 319, 96 S. Ct. 893, 47 L.Ed.2d 18 (1976). In this analysis three competing factors are balanced against each other: (1) the private interest that will be affected by the official action; (2) the probable value, if any, of additional or substitute procedural safeguards; and (3) the government's interest, including the fiscal and administrative burden that the additional or substitute procedural requirements would entail. The court concluded that the accused student was denied due process for the reason that neither he, his mother nor his counsel were advised of the superintendent's statement to the school board regarding the alleged confession to his school counselor. However, the court specifically stated that he was not denied due process by not being permitted to know the names of, nor to cross-examine, student accusers, nor by being denied a second opportunity to cross-examine the school principal. They also held that not being permitted to attend the school board's closed deliberations did not violate due process.[1]

Thus, it would appear from this recent Sixth Circuit decision that even in a hearing dealing with the expulsion of a student, that notice of the charges and an opportunity to be heard are the critical elements. Important language which will be reviewed by other courts dealing with similar issues was expressed by the Sixth Circuit in dealing with the

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[1]In Arizona, student disciplinary hearings are conducted in private unless otherwise requested by the student/parents (ARS §15-843.A.). If the school board wishes to go into executive session to receive advice from its legal counsel in rendering a decision, it may do so and exclude the student/parent/legal representative only during that time period. ARS §15-843.H. specifically permits parents and counsel to otherwise be present.

question of whether cross-examination of student accusers is necessary. The Sixth Circuit stated with regard to that issue in Newsome v. Batavia Local School District:

> The value of cross-examination to the discovery of truth cannot be over-emphasized. . . . the value of cross-examining student witnesses in school disciplinary cases, however, is somewhat muted by the fact that the veracity of a student account of misconduct by another student is initially assessed by a school administrator—in this case, the school principal—who has, or has available to him, a particularized knowledge of the student's trustworthiness. The school administrator generally knows firsthand (or has access to school records which disclose) the accusing student's disciplinary history, which can serve as a valuable gauge in evaluating the believability of the student's account. Additionally, the school administrator often knows, or can readily discover, whether the student witness and the accused have had an amicable relationship in the past. Consequently, the process of cross-examining the student witness may often be merely duplicative of the evaluation process undertaken by the investigating school administrator, Id. at 924.

The court held that the value of cross-examination did not override the district's burden and potential damage in making the student accusers available. The court determined that in these turbulent and sometimes violent times on school campuses, it is critically important to protect the anonymity of students who "blow the whistle" on their classmates who engage in drug trafficking and other serious offenses, 842 F.2d at 920.

Arizona Legal Requirements

The Arizona statute dealing with pupil disciplinary proceedings is found at ARS §15-843. Key aspects of this statute permit the hearing to be held in a non-public proceeding unless the parents, legal guardian or an emancipated pupil requests otherwise. The statute further mandates that a school district governing board adopt certain rules including procedures for the use of corporal punishment, if allowed by the board, procedures for dealing with pupils who have committed or are believed to have committed a crime, a notice and hearing procedure for cases concerning the suspension of a pupil for more than 10 days, and procedures for appeal to the governing board of a suspension of more than 10 days if the decision was made by someone other than the governing board.

Specific procedural due process requirements are found at ARS §15-843.F.3. This subsection requires that the governing board give notice at least five working days prior to the hearing to all pupils subject to expulsion and their parents or legal guardians of the date, time and place of the hearing. In this notice, if the governing board has decided to hold the disciplinary hearing in executive session, the notice must include a statement of the right of the parents or legal guardian or an emancipated pupil to indicate their objection to this decision, and to place such objection in writing. Also note that at subsection H, the law specifically permits the pupil, parents, legal guardian, as well as legal counsel for the child, to attend any executive session pertaining to the proposed disciplinary action, as well as having access to the minutes and testimony of such an executive session.

In ARS §15-843, subsections I and J specifically authorize the governing board to grant power to **suspend** a pupil to the superintendent, a principal or other school officials. If there is not a superintendent or principal in a school, a teacher may be designated with the right to suspend. This assumes that only the governing board may expel students.

Thus, Arizona law has imposed additional requirements to those of Goss v. Lopez upon school districts. In addition, ARS §15-843.B.2 specifically requires a governing board to establish procedures for the use of corporal punishment if it is to be allowed by the governing board. Those procedures must be consistent with guidelines prescribed by the State Board of Education. The State Board of Education's requirements are found at AAC R7-2-807. Thus, if a school district determines that it will use corporal punishment, it may be done only in conformity with the State Board rule.

On the subject of corporal punishment, the United States Supreme Court ruled in a closely divided opinion that the disciplinary paddling of public school students did not constitute cruel and unusual punishment in violation of the 8th Amendment to the United States Constitution, Ingraham v. Wright, 430 U.S. 651, 97 S.Ct. 1401, 51 L.Ed.2d 711 (1977). The Supreme Court found that the protections afforded by the 8th Amendment against cruel and unusual punishment applied to persons convicted of crimes and not to the paddling of children as a means of maintaining discipline in the public schools, 51 L.Ed.2d at 725-26. Noting that "it would be anomalous . . . if school children could be beaten without constitutional redress, while hardened criminals suffering the same beatings at the hands of their jailors might have a valid claim under the 8th Amendment," the court however, found that "whatever force this logic may have in other settings, we find it an inadequate basis for wrenching the 8th Amendment from its historical context and extending it to traditional disciplinary practices in the public schools," Id. at 51 L.Ed.2d at 728-29. The court relied upon the openness of the public school as an institution, its supervision by the community and common law safeguards prohibiting unreasonable corporal punishment as safeguards in making this decision.

Turning next to the question of whether corporal punishment implicated due process/14th Amendment protections, the Supreme Court did find that corporal punishment could call into play these constitutional protections. The court stated that historically our liberty interest has included the right to be free from bodily restraint and punishment, Id. at 51 L.Ed.2d at 732. In determining what due process must be afforded a child, the court turned to the same three criteria relied upon by the court in Newsome v. Batavia Local School District, namely the Matthews v. Eldridge test. General requirements established by the Supreme Court include a need for the punishment to be reasonable and not excessive. However, the Court specifically rejected the argument that there should be advance procedural protections including a prior notice and a hearing before implementation of corporal punishment. In doing so, it found that this additional safeguard to the individual was outweighed by the costs to the smooth operation of the school system. The court was unwilling to impose additional administrative safeguards into an "area of primary educational responsibility."

In 1987, the Tenth Circuit Court of Appeals addressed the issue of individual and school district liability for the excessive paddling of a student. One of the children in issue was a nine-year-old third grader summoned to the principal's office for hitting a boy who had kicked her. After the child refused to voluntarily go to a chair to be paddled, the principal obtained the assistance of a teacher who held the student upside down by her ankles, while the principal struck her with a wooden paddle. The paddle was split down the middle in two pieces. The child was hit five times on the front of the leg between the knee and the waist. Following the beating, the child was bleeding from a two-inch

cut that left a permanent scar on her leg. Following this incident, the same principal again paddled the same child. On the second occasion, an administrative associate of the school pushed the child toward a chair over which she was to bend to receive additional blows. The child hit her back on a desk and suffered severe back pain for weeks. The remaining three blows caused severe bruises on her buttocks which did not stop hurting for two to three weeks. The second incident of paddling was done contrary to the specific request of the parents that no further spanking take place unless they were advised and in spite of the child's repeated requests to telephone her mother. The second paddling resulted from an allegation that the child had told someone that an employee of the school district had been seen kissing a student's father on a school bus on a recent field trip and had sent love letters to him through his son. The Tenth Circuit Court relied upon the Supreme Court opinion in Ingraham v. Wright, to hold that "at some point, excessive corporal punishment violates the pupil's substantive due process rights." The Tenth Circuit in Garcia v. Miera, 817b F.2d 650 (1987), described other opinions in which corporal punishment was held to violate a student's substantive due process rights. In Milonas v. Williams, 691 F.2d 931 (10th Cir. 1982), cert. denied, 460 U.S. 1069, 103 S. Ct. 1524, 75 L.Ed.2d 947 (1983), the Tenth Circuit Court affirmed the issuance of a permanent injunction prohibiting a practice nicknamed the "hair dance." In this form of disciplinary action, a school employee would "grab one of the student's arms and clutch the boy's hair with his other hand," Id. at 655. This Circuit Court held that that punishment was unreasonably harsh and not reasonably related to the legitimate objectives of the school, in this case a school for disturbed children. In Hall v. Tawney, 621 F.2d 607 (4th Cir. 1980), that appellate court found a substantive due process right to be free of brutal, demeaning and excessive paddling by public school officials. In summary, the court in Garcia v. Miera held that there were three categories of corporal punishment: (1) punishments that do not exceed the traditional common law standard of reasonableness and are not actionable, (2) punishments that exceed the common law standard without adequate state remedies violate procedural due process rights, and (3) punishments that are so grossly excessive as to be shocking to the conscience violate substantive due process rights, without regard to the adequacy of state remedies. In overturning the lower court's grant of a motion for summary judgment filed by the school district, the court found that the school district should reasonably have had notice that excessive corporal punishment could violate the student's substantive due process rights; thus, the court held that the matter could proceed to trial on the issue of liability and damages.

Special Education

There are separate legal requirements relating to the discipline of handicapped students. The Arizona Attorney General's opinions should be read and/or consultation with legal counsel should occur before establishing policies in this area.

Conclusion

The greater the punishment proposed, the greater the safeguards and due process protections that must be afforded. **In all circumstances, at least oral notice of the charges and an opportunity to rebut them must be afforded a pupil accused of wrongdoing.** Although a formal hearing is not required before corporal punishment may be administered, it must be done in conformity with State Board rule. Further, although cross-examination rights are not afforded in the two Sixth Circuit cases noted, this case law is not controlling in Arizona. Absent a very good reason for denying cross-examination, especially of school administrators, **it is recommended that cross-**

examination rights be afforded any student facing suspension or expulsion. This question should definitely be addressed in adopting rules pursuant to ARS §15-843. (I also would not jump to the conclusion that because informants' names need not be revealed in cases involving drug allegations, that information need not be disclosed under any circumstances. A governing board and individual administrators must look to the facts of each individual case, as well as to the environment out of which they are making a determination, before reaching a similar conclusion.)

APPENDIX A

TASK FORCE SURVEYS

Introduction

During the course of their deliberations, from September 1989 through March 1990, members of the Superintendent's Task Force on Classroom Discipline formulated several questions regarding the nature and existence of classroom discipline programs in Arizona schools. They also wanted to sample the attitudes of educators and non-educators on the extent of disciplinary problems in our schools, their probable causes and possible solutions. As a result of this need, several members of the Task Force participated in an informal sampling procedure to collect the information which follows. Two surveys were conducted: a sample of existing types of discipline programs in elementary, middle/ junior high and high schools; and two similar questionnaires addressed the perceptions of educators and non-educators relative to the school discipline issue. The results of responses to the school program survey were tabulated and are presented in the table on the next page. Responses to the questionnaires are given in the form of percentages for the multiple choice questions and verbatim comments for the open-ended questions.

It should be noted that these surveys provide only general information about discipline programs in some Arizona schools and attitudes of a small, non-scientific sample of Arizona educators and community members. These data should be interpreted with caution, as the specific design of the surveys and the selection process utilized for respondents were not provided to the Task Force. The comments accompanying the survey results assume that the results were not influenced by any relationships such as a correlation between age/experience level and the attitudes expressed or any other pertinent factors. This assumption may or may not be accurate. However, lacking any specific knowledge of the methodology and design of the surveys, this is the only possible assumption. The interpretation of the data was done on the broadest level; any more meaningful analysis would require significantly more detailed examination and information. The survey information is included because the results were reviewed and discussed by the Task Force. It is hoped that the general indications derived from the surveys may serve as a starting point for more formal research into the classroom discipline issue.

Results of Survey Of Existing Discipline Programs In Arizona Schools

	High Schools	Jr. Highs	Middle Schools	K-8 Schools	All Schools
*Number of Surveys Returned	100	66	55	109	330
District-Designed Program	60 60%	23 35%	22 40%	26 25%	132 40%
Assertive Discipline Program	38 38%	46 70%	28 51%	86 79%	198 60%
Student/Mediation Program	6 6%	10 15%	14 25%	22 20%	52 16%
Alternative School	42 42%	17 26%	13 24%	8 7%	80 24%
In-School Detention (ISD)	80 80%	50 76%	46 84%	83 76%	259 78%
After-School Detention (ASD)	59 59%	47 71%	38 69%	52 48%	196 59%
Number of Schools Utilizing Own Program	46 46%	29 44%	26 47%	49 45%	150 45%

*587 surveys were distributed, 330 responses were received.

Results of Surveys of Arizona Educators and Non-Educators

A survey of 300 Arizona adults who were not educators found general agreement on the causes of school disciplinary problems. On the possible solutions some agreement also existed, but the results show a weaker consensus. A related survey of 300 Arizona educators failed to show any similar consensus regarding the causes or solutions to disciplinary problems. Even in areas of general agreement, the responses of secondary and elementary educators differed.

The non-educators cited drug abuse as the most severe disciplinary problem in the schools, with 79 percent concurring. The educators chose disruptive behavior (talking in class, rowdiness, not sitting down), fighting (physical violence), and aggression (talking back to teacher, yelling threats) by 30 percent, 13 percent and 8 percent, respectively. Drugs or drug abuse was cited by only 4 percent of the educators. When asked how much class time was spent on discipline, 66 percent of secondary teachers said they spend relatively little time, while only 46 percent of elementary teachers concurred.

Most non-educators said parents should be involved in school discipline and 53 percent felt it was too lenient, while 2 percent thought it was too harsh. The majority of the educators, however, felt discipline was adequate (67 percent), while 30 percent thought it was not strict enough. When asked about parental support in disciplinary matters, 49 percent of the educators indicated regular support, while 43 percent reported occasional support; strong administrative backing was cited by 74 percent of the teachers, while 20 percent reported only occasional support from their administration in the area of discipline.

While many adults may share the same views on the causes of disciplinary problems, there is less agreement on the solutions. The concept of a closed campus was favored by 74 percent of the non-educators and locker searches, including the use of dogs to detect drugs, were advocated by 81 percent. Searching backpacks or purses was approved by 71 percent, but only 52 percent felt that students should be searched and many qualified that support in terms of the existence of a reasonable cause to search.

When non-educators were asked how to improve discipline in the schools and how to deal with students causing continuous disciplinary problems, there was no clear preference. Educators similarly exhibited no apparent agreement regarding the causes or solutions to disciplinary problems and responses differed significantly when secondary and elementary educators were compared. The responses to the non-educator and educator questionnaires follow.

Survey of Arizona Non-Educators on Disciplinary Matters

This survey is comprised of a sample of 300 interviews conducted with Arizona adults who are not educators. (Adjunct to survey conducted with educators on disciplinary matters, which follows on p. 22.)

		Responses	Percentage
Sex:	Male	130	43%
	Female	170	57%
Age:	-25	30	10%
	25-35	59	20%
	36-45	63	21%
	46-55	57	19%
	56-65	56	19%
	65+	35	12%

Do you feel discipline in our schools is:

1. Too harsh	2%
2. About right	35%
3. Too lenient	53%

Forty-five percent of teachers interviewed in a recent study felt that discipline took most or all of their time. Do you think this figure is more or less accurate?

1. Yes	56%
2. No	33%
3. Don't know	11%

You may have read or heard about Joe Clark, the principal who enforced strict discipline in his school and carried a baseball bat and a bullhorn at school.

Do you:

1. Agree with his methods	30%
2. Somewhat agree	29%
3. Don't know/never heard of	8%
4. Somewhat disagree with his methods	16%
5. Strongly disagree with his methods	17%

(In the above question, a number of the respondents who agreed or somewhat agreed did so with remarks that the agreement was in view of the circumstances.)

Do you feel that the parents must be involved in school discipline or that it is the job of the teachers and principal of the school?

1. Parents	96%
2. Teachers/principals	3%
3. Don't know	1%

What, in your opinion, is the most serious discipline problem in schools today? (This question was asked as an open-ended question. The results are listed below as a percentage and as other verbatim comments.)

1. Drugs	28%
2. Lack of respect (for authority, teachers, parents)	20%
3. Truancy	5%
4. Disruptive behavior	3%
5. Parents/home problems/home environment	5%
6. Other (see verbatim comments below)	16%
7. Don't know	22%

Verbatim Comments:

Lack of self-respect/esteem; Inattention; Lack of desire to attend school; Teachers don't require kids to obey; Too many kids in one class; Kids use time to socialize, don't study; Lack of consistency; Weapons at school; Apathy; Not doing homework; Attitudes about school, bad outlook; Teachers don't have enough authority; Violence in schools; Curriculum is not tough enough; Disobedience; Latchkey kids; Kids given too much freedom; Permissiveness; Pregnancies; Lack of participation; Lack of direction; Lack of discipline at home leads to drugs; Insubordination; Kids won't stay in their seats; Children are out of control; Lack of self-discipline, not using time wisely; Teachers lose control; Academic, too much free choice; Too lenient; Nobody cares; Education of values: they don't have any; Children raising children.

What, in your mind, would improve the discipline in the schools? (This question was asked as an open-ended question. the results are listed below as a percentage and as other verbatim comments.)

1. Parents/home environment improve	39%
2. Have stricter rules/enforce	6%
3. More teacher authority	5%
4. Back to basics	2%
5. Dress code	2%
6. Other (see verbatim comments on next page)	30%
7. Don't know	16%

Verbatim Comments:

Deprivation of privileges; Natural consequences, more responsibility; Better respect taught at home; Follow through with parents; Homework stressed, pride in work done; A class on social education; Make it a prison; Talking more; Sex and drug education; Better drug education program; Don't allow ditching; Penalize parents for bad behavior; Need more counselors; Pay teachers more; Teach how to pay attention when they are young; Smaller classes; Budget more for schools/education; Made to sit for a day with nothing to do, would then appreciate something to do; Classes and curriculum must be more relevant; Campuses are too open; Longer school hours for latchkey kids; More police around campus, in sight; Make classes more interesting; Enforced study time; Start at home, give teachers more backup from parents and administration; Getting kids interested; Higher consequences for transgressions; Hire more undercover cops; Drug testing in schools; Support the new drug war; Positive reinforcement; Blow up the world and start over; Grades; Suspend the bad ones; Capital punishment for pushers; Let them drop out if they want to; Better kids; Better teachers; Make firm decision to change, set rules, enforce every time; Classes too large; Get drug users out; Put problem child in different class; Talk more with students; Longer school hours; Better teacher training; Totally committed program, school/family unity; Pride in learning instilled; Remedial work, practical application; Group teaching; Teachers must dress and act like role models; Stronger crackdown on drug users, stronger penalties.

Do you think that being suspended from school is adequate or appropriate discipline for skipping school?

1. Yes	24%
2. No	73%
3. Don't know	3%

How would you prefer that skipping school be dealt with?

1. Suspension	9%
2. After school detention	46%
3. In-house suspension	40%
4. Don't know	5%

What do you feel should be done in regard to students at the junior high or high school level who present continuous problems of disruptive behavior in the classroom? (This question was asked as a open-ended question. The results are listed below only as a percentage of similar answers.)

1. Kicked out	15%
2. Moved to a stricter setting	32%
3. Counseled	32%
4. Other	10%
5. Don't know	11%

Do you feel that maintaining a closed campus, with students not allowed to leave the campus during school hours, is a good idea or a bad idea?

1. Good	74%
2. Bad	20%
3. Don't know	6%

(Three respondents suggested that leaving campus should be an earned privilege.)

Do you think that drug use and abuse is a problem in our schools?

1. Yes	95%
2. No	1%
3. Don't know	4%

To what degree do you think that drug use and abuse is a problem?

1. Severe	39%
2. Serious	40%
3. Moderate	15%
4. Small	2%
5. Not at all	0%
6. Don't know	4%

Do you think school officials should be allowed to use dogs to search lockers for drugs?

1. Yes	81%
2. No	15%
3. Don't know	4%

Do you think school officials should be allowed to search purses and backpacks?

1. Yes	71%
2. No	25%
3. Don't know	4%

Should searches of students be allowed?

1. Yes	52%
2. No	42%
3. Don't know	6%

(In the above search questions, a number of respondents qualified their answers by saying a search should only be conducted with reasonable cause, and/or that such searches should be conducted by police.)

Responses to Survey of 300 Arizona Educators on Disciplinary Matters
This survey is comprised of a sample of 300 interviews conducted with Arizona educators. (Adjunct to survey conducted with non-educators on disciplinary matters, presented on page 18.)

		Responses	Percentage
Sex:	Male	87	29%
	Female	213	71%

How many years have you been a teacher?

1-3 years	23	8%
4-10 years	77	26%
Over 10 years	200	67%

At what grade level do you teach? (rounding may create totals above 100%)

K-3	78	26%
4-6	68	23%
7-8	59	20%
9-12	65	22%
Other (counselors, art, music, special ed.)	30	10%

In your opinion, what is the most difficult aspect of teaching?
(The variety of answers to this open-ended question was enormous. The results are listed below as a percentage and as other verbatim comments).

Discipline (Lack of discipline or necessity of spending a great deal of time on this area).
57 19%

Motivation (Generally refers to lack thereof on part of students).

21 7%

Parents (Broad category, usually negative. Refers to lack of support by parents, lack of interest, drug/alcohol use by parents, bad home background for children).

36 12%

Time (Lack of time or shortage thereof by teachers to do all that is required of them).

36 12%

No interest (On the part of students with school and subject matter).

6 2%

Paperwork (Excessive papers and forms, also keeping track of lunch money, fundraisers).

24 8%

Overcrowding (Class size too large, insufficient materials and/or space for large classes).

23 8%

Inadequate resources (Having to ration materials, paper, pencils to last the year or semester. Lack of funds for necessary equipment or aides).

13 45%

Administrative problems (On-site administration and red tape from the district and school board).

18 6%

Salary (Not high enough).

9 3%

Other

45 15%

Don't know 12 4%

Do you consider that you deal with discipline problems:

1.	Most of the time	75	25%	Secondary	19%
				Elementary	28%
2.	A lot of the time	60	10%	Secondary	14%
				Elementary	27%
3.	A little of the time	108	36%	Secondary	38%
				Elementary	36%
4.	Very little of the time	57	19%	Secondary	28%
				Elementary	10%

Do you feel you have parental backing in disciplinary matters?

1. Yes	137	49%	Secondary	52%
			Elementary	49%
2. No	24	8%	Secondary	10%
			Elementary	6%
3. Sometimes	129	43%	Secondary	39%
			Elementary	44%

Do you feel you have administrative backing in disciplinary matters?

1. Yes	222	74%	Secondary	80%
			Elementary	72%
2. No	18	6%	Secondary	5%
			Elementary	5%
3. Sometimes	60	20%	Secondary	16%
			Elementary	23%

On average, what percentage of your teaching day is spent dealing with discipline or class control rather than teaching?

1. 0-5%	93	31%	Secondary	42%
			Elementary	22%
2. 6-10%	69	23%	Secondary	18%
			Elementary	26%
3. 11-20%	50	17%	Secondary	14%
			Elementary	20%
4. 21-30%	33	11%	Secondary	5%
			Elementary	16%
5. 31-40%	15	5%	Secondary	6%
			Elementary	5%
6. 41-50%	14	5%	Secondary	5%
			Elementary	1%
7. 51-60%	3	1%	Secondary	1%
			Elementary	2%
8. 61-70%	3	1%	Secondary	0%
			Elementary	2%
9. 71-80%	3	1%		
10. 81-90%	0	0%		

11.	91-100%	3	1%	Secondary	0%
				Elementary	1%
12.	Don't know	11	4%	Secondary	7%
				Elementary	2%
13.	Other	3	1%	Secondary	2%
				Elementary	1%

Do you feel discipline in your school is:

1.	Strict enough	201	67%	Secondary	61%
				Elementary	75%
2.	Too strict	0	0%		
3.	Not strict enough	90	30%	Secondary	38%
				Elementary	1%
4.	Don't know	9	3%	Secondary	0%
				Elementary	24%

What is the most serious discipline problem you deal with on a regular basis?

1.	Drugs (Only the word **drugs** was used).	12	4%	Secondary	6%
				Elementary	4%
2.	Fighting (Used when physical violence was described).	38	13%	Secondary	4%
				Elementary	16%
3.	Absent/tardy	33	11%	Secondary	27%
				Elementary	0%
4.	Disruptive (Used for talking in class, rowdiness, not sitting down).	89	30%	Secondary	27%
				Elementary	35%
5.	Lack of respect (Mostly for teacher and/or classmates)	31	10%	Secondary	10%
				Elementary	10%
6.	Lack of interest (Students by not listening, not working, bored attitude).	23	8%	Secondary	10%
				Elementary	7%
7.	Parents (Not interested, no discipline backup, family problems).	8	3%	Secondary	1%
				Elementary	4%

8. Aggression (Talking back to teacher, yelling at teacher or others).

20	8%	Secondary	2%
		Elementary	11%

9. Other (See verbatim comments on next page)

40	13%

10. Don't know

6	2%

Verbatim Comments:

Apathy; Bathroom behavior (2); Blatant disregard for rules; Breaking of class rules; Bullying; Class outbursts; Cursing; Dealing with students whose parents are apathetic; Disobedience; Ditching; Don't feel there is a particular problem; Emotional problems (2); Emotionally handicapped students in regular class; Failure to do homework (3); Hyperactive children; Kids facing life on their own, parents who should not be parents; Lack of control; Lack of social skills; laziness; Losing control; Misuse of passes; Not paying attention; Not staying on task; Open defiance (5); Rudeness to each other; Self-abusive children; Smoking in bathroom; Temper tantrums; Unprepared: no pencil, paper, homework.

Do you have any suggestions that you feel would be helpful in the area of discipline?

1. Parents (Getting parents involved, training parents, more face-to-face contact with parents).

51	17%	Secondary	25%
		Elementary	30%

2. Consistency (Penalties and/or rewards should be consistent, not only in each classroom but in each school and throughout the district).

33	11%	Secondary	13%
		Elementary	22%

3. Training (For teachers in the area of discipline).

36	12%	Secondary	1%
		Elementary	3%

4. Assertive discipline (A training program some teachers had attended).

27	9%	Secondary	5%
		Elementary	5%

5. Positive reinforcement

18	6%	Secondary	1%
		Elementary	7%

6. More authority (For teachers, principals, some felt restriction of spankings and fear of lawsuits hampered discipline).

23	8%	Secondary	6%
		Elementary	1%

7.	Reinforcing student self-respect	9	3%	Secondary Elementary	2% 3%
8.	Other (See Verbatim Comments on next page)	8	3%		
9.	Don't know	73	24%		

Verbatim Comments:

Ability to discipline children without fear of lawsuits; After-school detention; Allowing school to take care of problems, not parents; Assertive consistency, consequences with support (5); Assertive discipline; Be fair; Classroom control techniques; Conflict resolution training, teaching kids to accept differences; Control therapy, positive reinforcement; Education for parents (3); Every principal should discuss rules with every class; Follow through at home and school; Follow-up on absences; Get problem kids out of classroom; Give teachers more authority, if parents disagree, put them in their place; Have parents come in every day- they'd realize what teachers have to do; If kids don't want tot be in school, put them in a work program; Kids have to feel they are working with teacher-not against; Lease program, group discipline; More money for PE equipment; More consequences both at home and at school; More Head Start programs; More help from home- don't expect teachers to do it all; More parent/teacher contacts; More time to work on a uniform system; Observing other teachers-exposing to other options; Parental involvement, less steps between trouble and parents; Parents, ought to license them, parenting classes; Professional training; Public hanging; Reality therapy, one-on-one approach to problems; Saturday school; Smaller classes; Spend first few weeks training students, getting rules set; Stricter dress code; Suspensions, send 'em home for a week; Take away privileges; Teachers cooperating with each other; Teachers need to give rules and be consistent; Teaching values in schools; Tougher penalties that happen quicker; Tougher policy on ditching.

What percent of discipline problems do you think can be accounted for by drug usage?

1.	0-5%	81	24%	Secondary Elementary	20% 34%
2.	6-10%	30	10%	Secondary Elementary	13% 8%
3.	11-20%	28	11%	Secondary Elementary	10% 9%
4.	21-30%	23	8%	Secondary Elementary	6% 9%
5.	31-40%	15	5%	Secondary Elementary	10% 2%
6.	41-50%	24	8%	Secondary Elementary	13% 5%

7.	51-60%	9	3%	Secondary	2%
				Elementary	1%
8.	61-70%	2	2%	Secondary	1%
				Elementary	0%
9.	71-80%	12	4%	Secondary	0%
				Elementary	3%
10.	81-90%	0	0%		0%
11.	91-100%	3	1%	Secondary	1%
				Elementary	1%
12.	Other (See Verbatim Comments below)	6	2%		
13.	Don't know	66	22%	Secondary	21%
				Elementary	24%

Verbatim Comments:

Large percent of chronic misbehavior stems from drug use or prenatal exposure to drugs, 80% end up in special ed; Parental usage the problem, prenatal and current too; 10 to 15% usage by teachers and students, causes 40% of the problems; In my class 0% use by students, 10% use by parents; 75% of children with disciplinary problems can be traced to drugs or alcohol use in homes; High percent of use off campus and in home by parents; Don't think drugs are the problem, other problems at home and with self-esteem make kids turn to drugs; Parents using drugs influences kids a lot; 12 to 15% use by children and parents; 90% of drug-using kids are discipline problems, but not all problem kids are drug users; 50% use by children and parents; 75% of families in my school use alcohol; Only parents, not kids using drugs here; Symptom, not a cause of misbehavior; No problem in my school; Doesn't happen here; 10 to 25% at home; 80% of my class has alcoholic parents; 60% of my class has alcoholic parents, 90% of kids starting at home with alcohol abuse, then misbehaving at school; Have had parents come in for conference high and reeking of dope.

APPENDIX B

SUPERINTENDENT'S TASK FORCE ON CLASSROOM DISCIPLINE

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BIBLIOGRAPHY

Adamson, D. (1987) "10 Ways to Master Classroom Discipline," *Learning*, 16, (4), pp. 48-50 (November-December).

Anderson, L. (1978) "The Aggressive Child," *Education Digest*, 43, (9), pp. 17-20 (May).

Arizona Congress of Parents and Teachers, comp. (1989) *Corporal Punishment in Our Schools*, ACPT, Phoenix, AZ.

"Assertive Discipline Plus Behavior Modification," (1980) Westonka Public School District No. 277, MN, *ERS Management Operations Information Bank* (430-DSO-054).

Baker, K. (1985) "Research Evidence of a School Discipline Problem," *Phi Delta Kappan*, 66, (7), pp. 482-88 (March).

Barrett, E. (1985) *Assertive Discipline and Research*, Canter and Associates, n.p. (ED288-875).

Barth, R. (1980) "Discipline: If You Do That Again, . . .," *Phi Delta Kappan*, 61, (2), pp. 398-400 (February).

Bartlett, L. (1987) "Academic Evaluation and Student Discipline Don't Mix: A Critical Review," *Journal Of Law & Education*, 16, (2), pp. 155-65 (Spring).

Barton, S., and Morrison, L. (1988) "Getting Off to a Good Start with Discipline," *Teacher Educator*, 23, (4), pp 30-31 (Spring).

Bauer, G. (1985) "Restoring Order to the Public Schools," *Phi Delta Kappan*, 66, (7), pp. 488-90 (March).

Bielefeldt, T. (1988) "The Challenge of Classroom Discipline," *OSSC Bulletin*, 32, (4) (December) (ED301-972).

Block, N., and Fathman, R. (1988) "Convincing State Legislatures to Ban Corporal Punishment," *Children's Legal Rights Journal*, 9, (2-3), pp. 21-24 (Spring).

A Blueprint for Classroom Discipline. Action Kit No. 3, (1983) American Education Coalition, Washington, D.C. (ED250-784).

Bourgeois, D. (1979) "Positive Discipline: A Practical Approach to Disruptive Student Behavior," *NASSP Bulletin*, 63, pp. 68-71 (September).

Brodbelt, S. (1980) "Effective Discipline: A Consideration for Improving Inner-City Schools," *Clearing House*, 54, pp. 5-9 (September).

Brophy, J. (1988) "Educating Teachers about Managing Classrooms and Students," *Teaching and Teacher Education: An International Journal of Research and Studies*, 4, (1), pp. 1-18.

Brophy, J., and Rohrkemper, M. (1987) *Teachers' Strategies for Coping with Hostile-Aggressive Students, R.S. 185*, Michigan State University, East Lansing Institute for Research on Teaching (ED286-881).

Brown, W., and Payne, T. (1988) "Discipline - Better or Worse?" *Academic Therapy*, 23, (4), pp. 437-42 (March).

Burke, F. (1981) *Handbook for Developing a Code of Conduct for Students*, New Jersey State Department of Education, Trenton, NJ (ED207-130).

Burton, M. (1988) "School Discipline: Have We Lost Our Sense of Purpose in Our Search for a Good Method?" paper presented at the *Annual Meeting of the American Association of Colleges for Teacher Education*, New Orleans, LA (February 17-20) (ED291-686).

Canter, L. (1988) "Assertive Discipline and the Search for the Perfect Classroom," *Young Children*, 43, (2), p. 24 (January).

Cde Baca, C. (1988) "Welcome to Discipline 101," *Instructor*, 97, (5) pp. 60-61 (January).

Chizak, L., (1984) "We Use a Detention Room to Keep Kids' Behavior Problems in Check," *The American School Board Journal*, 171, (7) pp. 29-30 (July).

"Classroom Management Plan," (1980), Colby Unified School District 315, KS, *ERS Management Operations Information Bank* (430-DSO-029).

Clewett, A. (1988) "Guidance and Discipline: Teaching Young Children Appropriate Behavior," *Young Children*, 43, (4), pp. 26-31 (May).

Collins, C. (1985) "In-School Suspensions," paper presented at the *Annual Meeting of the Council for Exceptional Children*, 63rd, Anaheim, CA (April 15-19) (ED258-353).

Cooper, D., and Strope, J., Jr. (1990) "Short-Term Suspensions Fourteen Years Later," *Education Law Reporter*, 58, (3), pp. 871-82 (April 12).

Cotton, K., and Savard, W. (1982) *Student Discipline and Motivation. Research Synthesis*, Northwest Regional Educational Lab., Portland OR (ED224-170).

Coy, S. (1980) *Discipline: There Are Alternatives! A Handbook for Elementary Teachers and Principals*, n.p. (ED221-916).

"Creation of Comprehensive K-12 Student Discipline Policy" (1982) Marana Unified School District, AZ, *ERS Management Operations Information Bank* (430-DSO-014).

Cromartie, M. (1987) "Disciplining Students for 'Indecent' Speech," *School Law Bulletin*, 18, (2), pp. 20-26 (Spring).

Curwin, R., and Mendler, A. (1988) "Packaged Discipline Programs: Let the Buyer Beware," *Educational Leadership*, 46, (2), pp. 68-71 (October).

Curwin, R., and Mendler, A. (1989) "We Repeat, Let the Buyer Beware: A Response to Canter," *Educational Leadership*, 46, (6), p. 83 (March).

Daly, C., and Fowler, T. (1988) "Improving Student Discipline," ***Research in Brief*** (OERI), (June) (ED296-982).

Dispute Resolution Services/Terros (n.d.) ***School Mediation Project: High School Teacher Training Manual***, Community Mediation Program, Phoenix, AZ.

Duke, D., and Jones, V. (1983) "Assessing Recent Efforts to Reduce Student Behavior Problems," paper presented at the ***Annual Meeting of the American Educational Research Association***, Montreal, Quebec, Canada (April 11-15) (ED233-440).

Duke, D., and Jones, V. (1984) "Two Decades of Discipline - Assessing the Development of an Educational Specialization," ***Journal of Research and Development in Education***, 17, (4), pp. 25-35 (Summer).

Evertson, C., and Emmer, E. (1982) "Preventive Classroom Management," in Duke (ed.), ***Helping Teachers Manage Classrooms***, Association for Supervision and Curriculum Development, Alexandria, VA.

Ford, R. (1984) ***Discipline Strategies for Teachers of Problem Students***, Office of the State Superintendent of Public Instruction, Olympia, WA (ED253-529).

Gettinger, M. (1988) "Methods of Proactive Classroom Management," *School Psychology Review*, 17, (2), pp. 227-42.

Glasser, W. (1977) "10 Steps to Good Discipline," *Today's Education*, 66, (4), pp. 61-63 (November-December).

Goldsmith, A. (1979) "Discipline, Discrimination, Disproportionality and Discretion," *A Legal Memorandum (NASSP)*, pp. 1-8 (November).

Goldstein, W. (1977) "Dealing with the 'Irreverent' Student," *NASSP Bulletin*, 61, pp. 79-81 (February)

Grossnickle, D., and Sesko, F. (1985) ***Promoting Effective Discipline in School and Classroom: A Practitioner's Perspective***, National Association of Secondary School Principals, Reston, VA (ED266-550).

"Guidelines for Student Discipline" (n.d.) Roosevelt School District No. 66, Phoenix, AZ.

Heitzman, A. (1983) "Discipline and the Use of Punishment," ***Education***, 104, (1), pp. 17-22 (Fall).

Henderson, D. (1986) "Constitutional Implications Involving the Use of Corporal Punishment in the Public Schools: A Comprehensive Review," ***Journal of Law and Education***, 15, (3), pp. 255-69 (Summer).

Hindman, S. (1986) "The Law, the Courts, and the Education of Behaviorally Disordered Students," ***Behavioral Disorders***, 11, (4), pp. 280-89 (August).

Hipple, M. (1978) "Classroom Discipline Problems? Fifteen Humane Solutions," ***Childhood Education***, 54, (4), pp. 183-87 (February).

Honig, A., et al. (1987) ***Discipline, Cooperation and Compliance: An Annotated Bibliography***, ERIC Clearinghouse on Elementary and Early Childhood Education, Urbana, IL (ED287-592).

Huber, J. (1984) "Discipline in the Middle School - Parent, Teacher, and Principal Concerns," ***NASSP Bulletin***, 68, pp. 74-79 (April).

Hyman, I. (1988) "Eliminating Corporal Punishment in Schools: Moving From Advocacy Research to Policy Implementation," ***Children's Legal Rights Journal***, 9, (2-3), pp. 14-20 (Spring).

Hyman, I., and D'Alessandro, J. (1984) "Good, Old-Fashioned Discipline: The Politics Of Punitiveness," ***Phi Delta Kappan***, 66, (1), pp. 39-45 (September).

Ianni, F. (1980) "A Positive Note on Schools and Discipline," ***Educational Leadership***, 37, (6), pp. 457-58 (March).

Johnson, T. (1990), "Procedural Due Process and Fairness in Student Discipline," ***A Legal Memorandum (NASSP)***, pp. 1-8 (January).

Jones, F. (1979) "The Gentle Art of Classroom Discipline," ***National Elementary Principal***, 58, (4), pp. 26-32 (June).

Jones, H., and Tecca, J. (1981) "The Administrator-Counselor Team Approach to Discipline," ***NASSP Bulletin***, 65, pp. 38-40 (October).

Jones, V. (1984) "An Administrator's Guide to Developing and Evaluating a Building Discipline Program," ***NASSP Bulletin***, 68, pp. 60-73 (April).

King, D., et al. (1987) "Using Assertive Discipline," paper presented at the ***Annual Convention of the National Association of School Psychologists***, New Orleans, LA (March 4-8) (ED283-803).

Lentz, F., Jr. (1988) "On-Task Behavior, Academic Performance, and Classroom Disruptions: Untangling the Target Selection Problem in Classroom Interventions," ***School Psychology Review***, 17, (2), pp. 243-57.

Lewis, R., and Lovegrove, M. (1987) "The Teacher as Disciplinarian: How Do Students Feel?" ***Australian Journal of Education***, 31, (2), pp. 173-86 (August).

Lewis, R., and Lovegrove, M. (1984) "Teachers' Classroom Control Procedures: Are Students' Preferences Being Met?" ***Journal of Education for Teaching***, 10, (2), pp. 97-105 (May).

Linton, H. (1979) "Behavior Checklist for Junior High Students," ***NASSP Bulletin***, 63, pp. 119-121 (December).

Lovegrove, M., et al. (1983) "Students' Preferences for Discipline Practices in Schools," in ***Comparative and International Studies and the Theory and Practice of Education: Proceedings of the Annual Conference of the Australian Comparative and International Education Society***, 11th, Hamilton, New Zealand (August 21-24) (ED265-257).

Mahoney, D. (1985) "Corporal Punishment and School Discipline," *Journal of Juvenile Law*, 9, (1), pp. 178-179 (Winter).

"Maintaining School Playgrounds: Foiling the Vandals and Sometimes Capitulating to the Vandals" (1980) *School Administrator's Discipline and Control Update*, pp. 1-8 (April).

Majestic, A. (1987) "Principles of Search and Seizure in the Public Schools," *School Law Bulletin*, 18, (3), pp. 15-27 (Summer).

Martin, B., and Quilling, J. (1981) *Positive Approaches to Classroom Discipline*, Home Economics Education Association, Washington, D.C. (ED228-707).

"Mass Truancy Hearings: A Streamlined and Efficient Method for Helping Chronic Truants" (1976) *School Administrator's Discipline and Control Update*, 107, pp. 1-8 (April).

Maurer, A., and Wellerstein, J. (1984) Three Works. *The Influence of Corporal Punishment on Learning: A Statistical Study; The Bible and the Rod; 1001 Alternatives to Corporal Punishment, Volume One*; Committee to End Violence Against the Next Generation, Berkeley, CA (ED254-308).

McCarthy, M. (1977) "How Can I Best Manage My Classroom?" *Education Digest*, 43, (3), pp. 20-23 (November).

McCormack, S. (1989) "Response to Render, Padilla, and Krank: But Practitioners Say It Works," *Educational Leadership*, 46, (6), pp. 77-79 (March).

McCormack, S. (1987) *Assertive Discipline: What Do We Really Know?* n.p., n.l. (ED-286-618).

McDaniel, T. (1989) "The Discipline Debate: A Road Through the Thicket," *Educational Leadership*, 46, (6), pp. 81-82 (March).

McDaniel, T. (1980) "Exploring Alternatives to Punishment: The Keys to Effective Discipline," *Phi Delta Kappan*, 61, (7), pp. 455-58 (March).

McDaniel, T. (1987) "Practicing Positive Reinforcement: Ten Behavior Management Techniques," *Clearing House*, 60, (9), pp. 389-92 (May).

McDaniel, T. (1986) "A Primer on Classroom Discipline: Principles Old and New," *Phi Delta Kappan*, 68, (1), pp. 63-67 (September).

McDaniel, T. (1986) "School Discipline in Perspective," *Clearing House*, 59, (8), pp. 369-70, (April).

"The Meaning of 'Fairness' in Student Disciplinary Procedures" (1982) *A Legal Memorandum (NASSP)*, pp. 1-6 (January).

Morris, R., and Elliott, J. (1985) "Understanding Alternatives for Classroom Discipline," *Clearing House*, 58, (9), pp. 408-12 (May).

Nicholson, G., et al. (1985) "Safe Schools: You Can't Do It Alone," *Phi Delta Kappan*, 66, (7), pp. 491-96 (March).

Olson, J. (1984) "Keeping Cool: Be a Teacher Who Disciplines LEAST," *Journal of Physical Education, Recreation & Dance*, 55, (6), pp. 38-39 (August).

Parker, J., II (1981) "Liability of Public School Teachers and School Boards for the Use of Corporal Punishment," *Southern University Law Review*, 8 (1), pp. 161-180 (Fall).

Petty, R. (1988) "Discipline in Your Classroom," *Science Teacher*, 55, (2), pp. 34-35 (February).

Phay, R. (1982) "Due Process and the Public Schools in the Seventies and Eighties," *School Law Bulletin*, 13, (4), pp. 1-14 (October).

Radin, N. (1988) "Alternatives to Suspension and Corporal Punishment," *Urban Education*, 22, (4), pp. 476-95 (January).

Reidinger, P. (1988) "Striking Bottom; Corporal Punishment Doesn't Offend Due Process," *ABA Journal*, 74, p. 104 (December 1).

Reis, E. (1988) "Effective Teacher Techniques: Implications for Better Discipline", *Clearing House*, 61, (8), pp. 356-57 (April).

Render, G. et al. (1989) "What Research Really Shows About Assertive Discipline," *Educational Leadership*, 46, (6), pp. 72-75 (March).

Rich, J. (1983) "Discipline and the Uses of Punishment," *Clearing House*, 56, (7), pp. 297-98 (March).

Richardson, M. (1985) "Perceptions of Principals and Teachers on Effective Management of Student Behavior," *Spectrum*, 3, (3), pp. 25-30 (Summer).

Ryan, P. (1983) *Fostering Discipline: Instructor's Manual*, Eastern Michigan University, Institute for the Study of Children and Families, Ypsilanti, MI (ED259-829).

Sabatino, D. (1987) "Preventive Discipline as a Practice in Special Education," *Teaching Exceptional Children*, 19, (4) pp. 8-11 (Summer).

Schmidt, J. (1982) "Understanding Punishment and Encouraging Positive Discipline," *Journal of Humanistic Education and Development*, 21, (1), pp. 43-48 (September).

Schonberger, V. (1986) "Effective Discipline: A Positive Approach to Self-Direction and Personal Growth," *Contemporary Education*, 58, (1), pp. 30-34 (Fall).

"School Administrators and Law Enforcement Officials" (1979) *A Legal Memorandum (NASSP)*, pp. 1-6 (June).

School Initiatives Program (1986) *Training High School Conflict Managers*, Community Board Center for Policy and Training, San Francisco, CA.

"School-Wide Discipline System" (1980) Huber Heights City Schools, OH, *ERS Management Operations Information Bank* (430-DSO-10).

Seeman, H. (1988) *Preventing Classroom Discipline Problems. A Guide for Educators*, Technomic Publishing Co., Inc., Lancaster, PA.

Short, P. (1988) "Effectively Disciplined Schools: Three Themes from Research," *NASSP Bulletin*, 72, (504), pp. 1-3 (January).

"Some Alternatives to School Discipline: Parental Liability and Restitution" (1981) *A Legal Memorandum (NASSP)*, pp. 1-8 (May).

Stainback, W., et al. (1987) "Structuring the Classroom to Prevent Disruptive Behaviors," *Teaching Exceptional Children*, 19, (4), pp. 12-16 (Summer).

Swick, K. (1977) "Maintaining an Environment for Productive Student Behavior," *Maintaining Productive Student Behavior*, National Education Association, Washington, D.C., pp. 22-27.

Swick, K. (1985) *Parents and Teachers as Discipline Shapers*, National Education Association, Washington, D.C. (ED265-945).

Swick, K., (1985) *A Proactive Approach to Discipline: Six Professional Development Modules for Educators*, National Education Association, Washington, D.C. (ED267-027).

Taylor, B. (1987) *Classroom Discipline: A System for Getting the Administration to See Discipline Problems Your Way*, Southern Hills Press, Dayton, OH (ED287-961).

"Teacher Training" (1989) *ASBA Journal*, 19, (4), pp. 19-20 (Fall).

Tenoschok, M. (1985) "Handling Problems in Discipline: Some Guidelines for Success," *Journal of Physical Education, Recreation & Dance*, 56, (2), pp. 29-30 (February).

Thomas, W. (1980) "Parental and Community Involvement: Rx for Better School Discipline," *Phi Delta Kappan*, 62, (3), pp. 203-04 (November).

"Tips on Discipline" (1982) *Today's Education*, 71, (3) pp. 44-45.

Walden, J., and Strope, J., Jr. (1986) "Beyond the Boundaries of Socially Appropriate Behavior: Bethel School District No. 403 v. Fraser," *Education Law Reporter*, 32, (4), pp. 1173-1183 (August 21).

Wayson, W. and Lasley, T. (1984) "Climates for Excellence: Schools That Foster Self-Discipline," *Phi Delta Kappan*, 65, (6), pp. 419-21 (February).

Wayson, W., et al. (1982) "Eight Goals and a Hundred Activities for Developing a Well-Disciplined School," in Wayson et al., *Handbook for Developing Schools With Good Discipline*, Phi Delta Kappa, Bloomington, IN.

Webster, L., et al, (1988) "Attitudes of Rural Administrators toward Corporal Punishment," *Journal of Rural and Small Schools*, 3, (1), pp. 19-22 (Fall).

Wherry, J. (1983) "Some Legal Considerations and Implications for the Use of Behavior Modification in the Schools," *Psychology in the Schools*, 20, (1), pp. 46-51 (January).

Willcox, R. (1983), "Discipline Made Gentle," *Clearing House*, 57, pp. 28-35 (September).

Wolfgang, C., and Glickman, C. (1986) *Solving Discipline Problems: Strategies for Classroom Teachers*, 2nd edition, Allyn and Bacon, Newton, MA.

Womack, S. (1983) "How to Stop Kids from Talking Back," *Clearing House*, 57, pp. 221-22 (January).

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